

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 CASTRO ET AL,

8 Defendant.

Case No. 2:17-cr-00103-KJD-PAL

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

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10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for defendants needs additional time to research, prepare, and determine
14 whether to file pretrial motions.

15 2. The defendants are incarcerated and do not object to the continuance.

16 3. The parties agree to the continuance.

17 4. The additional time requested herein is not sought for purposes of delay, but
18 merely to allow counsel for defendant sufficient time within which to be able to complete
19 research and prepare pretrial motions for filing and to thoroughly prepare for trial in this matter.

20 5. Additionally, denial of this request for continuance could result in a miscarriage
21 of justice.

22 **CONCLUSIONS OF LAW**

23 The ends of justice served by granting said continuance outweigh the best interest of the
24 public and the defendant in a speedy trial, since the failure to grant said continuance would be
25 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
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1 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
2 account the exercise of due diligence.

3 The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United
4 States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United
5 States Code, § 3161(h)(7)(B)(i), (iv).

6 **ORDER**

7 IT IS THEREFORE ORDERED that the parties herein shall have to and including
8 August 6, 2018, to file any and all pretrial motions and notices of defense.

9 IT IS FURTHER ORDERED that they shall have to and including August 20, 2018, to
10 file any and all responsive pleadings.

11 IT IS FURTHER ORDERED that they shall have to and including August 27, 2018, to
12 file any and all replies to dispositive motions.

13 DATED this 1st day of August, 2018.

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16 UNITED STATES DISTRICT JUDGE
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